

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Investigation Number:**  
03144-0600

**Reporting Office:**  
Dallas, TX, Area Office

**Investigation Name:**  
Arkansas Gravel Company

**Activity Date:**  
10/26/2021

**Subject of Report:**  
2021-10-04; Interview of (b) (6), (b) (7)(C).

**Reporting Official and Date:**  
(b) (6), (b) (7)(C)

Special Agent  
27 Oct 2021, Signed by (b) (6), (b) (7)(C)

**Approving Official and Date:**  
(b) (6), (b) (7)(C)

Assistant Special Agent in Charge  
28 Oct 2021, Approved by (b) (6), (b) (7)(C)  
Assistant Special Agent in Charge

**DETAILS:**

On October 04, 2021, Special Agent (SA) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) (Calhoun County Sheriff's Office) conducted an interview of (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) office located in Hampton, Arkansas.

(b) (6), (b) (7)(C) consented to an audio-video recording of the interview, which was captured and saved to (b) (6), (b) (7)(C) work computer. The following is a summary of the information provided by (b) (6), (b) (7)(C) (hereinafter identified as (b) (6), (b) (7)(C) during this interview and is not a verbatim transcript unless otherwise noted.

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) .

(b) (6), (b) (7)(C) and knew there was an anhydrous ammonia pipeline traversing through it. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) , but there had been no digging in that area over 8 to 9 years ago. (b) (6), (b) (7)(C) said, "I stayed on people's ass about it out there working...I told everybody to stay off of it...everybody kind of knows about that pipeline out there."

(b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) never dug on the pipeline; (b) (6), (b) (7)(C) said there is a strip of trees adjacent to the pipeline that "we never dug it because it's not worth clearing because there's a pipeline right there..." In regards to the product in the pipeline, (b) (6), (b) (7)(C) said, "I knew it was ammonia pipeline...hell it's posted..." (b) (6), (b) (7)(C) was of the understanding that ammonia is dangerous and can kill an individual if exposed to it. (b) (6), (b) (7)(C) said there are pipeline markers on the north side

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and south side of the “north haul road”, which runs east to west on the AGC property.

When asked about <sup>(b) (6), (b) (7)(C)</sup> knowledge regarding Charles “Chuck” Martin’s experience as a heavy equipment operator, <sup>(b) (6), (b) (7)(C)</sup> stated, “He’s been driving, mechanicing (sic), operating, I can’t say how many years, half his life for sure, it’s all he’s ever done as far as I know.” <sup>(b) (6), (b) (7)(C)</sup> said, “I fired him” approximately fifteen years ago. <sup>(b) (6), (b) (7)(C)</sup> said Martin “if he’s got someone right on top of him, he’s alright, if he doesn’t he’s not.” **(b) (6), (b) (7)(C)**  
<sup>(b) (6), (b) (7)(C)</sup>

<sup>(b) (6), (b) (7)(C)</sup> said <sup>(b) (6), (b) (7)(C)</sup> told him **(b) (6), (b) (7)(C)** Martin and volunteered, “<sup>(b) (6), (b) (7)(C)</sup> just don’t know better... <sup>(b) (6), (b) (7)(C)</sup> out there doing the best <sup>(b) (6), (b) (7)(C)</sup> can, <sup>(b) (6), (b) (7)(C)</sup> just over <sup>(b) (6), (b) (7)(C)</sup> head.” When asked if <sup>(b) (6), (b) (7)(C)</sup> knew about the pipeline, <sup>(b) (6), (b) (7)(C)</sup> didn’t answer directly but said, “I know it’s come up...you can’t miss that stuff, it’s a swarth down through the woods.”

When asked for <sup>(b) (6), (b) (7)(C)</sup> opinion on why Martin dug in the area where he struck the pipeline, <sup>(b) (6), (b) (7)(C)</sup> said <sup>(b) (6), (b) (7)(C)</sup> had no idea why Martin went to that location, but opined, “He’s trying to uncover that pipeline to locate where it’s at so he could dig down the side to hit rock or something, I don’t know what he’s doing, I’ve never seen anything like that” and later said, “I think he was looking for some easy rock to dig to put some material up front.” <sup>(b) (6), (b) (7)(C)</sup> when asked if Martin was being reckless in excavating near the pipeline, replied, “You’re being reckless digging right there...I don’t know why he was digging over there.”

In regards to the product in the pipeline, <sup>(b) (6), (b) (7)(C)</sup> said, “I knew it was ammonia pipeline...hell it’s posted...” <sup>(b) (6), (b) (7)(C)</sup> was of the understanding that ammonia is dangerous and can kill an individual if exposed to it.

SA <sup>(b) (6), (b) (7)(C)</sup> told <sup>(b) (6), (b) (7)(C)</sup> about allegations <sup>(b) (6), (b) (7)(C)</sup> had directed Martin to strike the pipeline on purpose, to which <sup>(b) (6), (b) (7)(C)</sup> did not directly answer, but replied, “I know what this is going to do, I’m not looking forward to this happening to <sup>(b) (6), (b) (7)(C)</sup> <sup>(b) (6), (b) (7)(C)</sup> later stated, “I don’t think Chuck would dig into that pipe on purpose. I think he was over there trying to find some good rock and make <sup>(b) (6), (b) (7)(C)</sup> happy, **(b) (6), (b) (7)(C)** and they put him back to work, that’s my opinion...” <sup>(b) (6), (b) (7)(C)</sup> said <sup>(b) (6), (b) (7)(C)</sup> hasn’t had any contact with Martin in at least 6 months, possibly a year.

I don’t know how he missed that...maybe he thought it was a haul road...we don’t dig up haul roads...that’s the last thing we do before we shut the plant down, dig the haul roads up...got to have a place to run on.” <sup>(b) (6), (b) (7)(C)</sup> said the strip of land the pipeline traverses north-south in between the ponds “is not really a haul road” because “it’s too wet”. When asked if <sup>(b) (6), (b) (7)(C)</sup> would ever dig on that strip of land, <sup>(b) (6), (b) (7)(C)</sup> replied, “Hell no...there’s not one haul road that’s been dug up until reclaiming is done...”

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**ATTACHMENT(S):**